

JAN 20 2012

A BILL FOR AN ACT

RELATING TO EMERGENCY ON-CALL PHYSICIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that fewer physicians
2 have been providing on-call services in hospital emergency
3 departments in recent years due to liability issues and
4 inadequate reimbursements. As a result, emergency departments
5 are experiencing increased overcrowding and longer waiting times
6 for their patrons. Nationally, for example, seventy-three per
7 cent of emergency departments report inadequate on-call coverage
8 by specialist physicians. Specialists who are particularly
9 difficult to secure for on-call coverage include orthopedic
10 surgeons, neurosurgeons, plastic surgeons, trauma surgeons, hand
11 surgeons, obstetrician-gynecologists, neurologists,
12 ophthalmologists, and dermatologists.

13 The purpose of this Act is to create a financial incentive
14 in the form of a tax credit for physicians who provide on-call
15 services to emergency departments.

16 SECTION 2. Chapter 235, Hawaii Revised Statutes, is
17 amended by adding a new section to part III to be appropriately
18 designated and to read as follows:

2012-0353 SB SMA.doc



1 "§235- Emergency room physician tax credit. (a) There

2 shall be allowed to each qualified taxpayer subject to the taxes
3 imposed by this chapter, an emergency room physician tax credit
4 that shall be applied to the qualified taxpayer's net income tax
5 liability, if any, imposed by this chapter for the taxable year
6 in which the credit is properly claimed.

7 (b) As used in this section, "qualified taxpayer" means a
8 physician licensed under chapter 453 who:

9 (1) Provides medical care in a state-approved hospital
10 emergency room on an on-call basis;

11 (2) Has worked a minimum of five hundred seventy-six on-
12 call hours in the year for which the tax credit is
13 claimed; and

14 (3) Does not owe the State delinquent taxes, penalties, or
15 interest.

16 (c) The tax credit shall be in an amount equal to five per
17 cent of the amount of medical malpractice insurance premium paid
18 by the qualified taxpayer for the taxable year in which the
19 credit is properly claimed.

20 (d) If the tax credit claimed by the qualified taxpayer
21 under this section exceeds the qualified taxpayer's income tax
22 liability, the excess of credit over liability shall be refunded



1 to the qualified taxpayer; provided that no refunds or payments
2 on account of the tax credit allowed by this section shall be
3 made for amounts less than \$1.

4 (e) The director of taxation shall prepare forms that may
5 be necessary to claim a credit under this section, may require
6 proof of the claim for the tax credit, and may adopt rules
7 pursuant to chapter 91 necessary to effectuate the purposes of
8 this section.

9 (f) Claims for the tax credit under this section,
10 including any amended claims, shall be filed on or before the
11 end of the twelfth month following the taxable year for which
12 the credit may be claimed."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act, upon its approval, shall apply to
15 taxable years beginning after December 31, 2011.

16
INTRODUCED BY:

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S.B. NO. 2170

Report Title:

Emergency Room Physicians; On-Call Physicians; Tax Credit

Description:

Establishes a tax credit equal to five per cent of the amount of medical malpractice insurance premium paid by a physician who provides on-call services to emergency departments.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

